

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

DAVID A. SMILEY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civ. No. 07-05-SLR
	)	
DAIMLER CHRYSLER,	)	
	)	
Defendant.	)	

**ORDER**

At Wilmington this 16<sup>th</sup> day of January, 2007;

IT IS ORDERED:

1. Pursuant to Fed. R. Civ. P. 4(c)(2) and (d)(2), plaintiff shall complete and return to the clerk of the court an **original "U.S. Marshal-285" form for defendant. Plaintiff must also provide the court with one copy the complaint (D.I. 2) for service upon defendant. Plaintiff is notified that the United States Marshal will not serve the complaint until the "U.S. Marshal 285" form and a copy of the complaint have been received by the clerk of the court. Failure to provide a "U.S. Marshal 285" form and a copy of the complaint for defendant within 120 days of the date of this order may result in the complaint being dismissed or defendant being dismissed pursuant to Fed. R. Civ. P. 4(m).**

2. Upon receipt of the completed "U.S. Marshal 285" form and a copy of the complaint, the United States Marshal shall serve a copy of the complaint and this order upon the defendant

as directed by plaintiff. All costs of service shall be advanced by the United States.

3. No communication, including pleadings, briefs, statement of position, etc., will be considered by the court in this civil action unless the documents reflect proof of service upon the parties or their counsel.

  
UNITED STATES DISTRICT JUDGE